

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR REGULAR MONTHLY MEETING ON TUESDAY, MARCH 25<sup>TH</sup>, 2008 AT 6:00 P.M., IN THE BOARD OF SUPERVISORS MEETING ROOM IN THE COUNTY COURTHOUSE.

THERE WERE PRESENT: Charles Wagner, Chairman  
Wayne Angell, Vice-Chairman  
Leland Mitchell  
David Hurt  
David Cundiff  
Russ Johnson  
Bobby Thompson

OTHERS PRESENT: Richard E. Huff, II, County Administrator  
Larry Moore, Asst. County Administrator  
Christopher L. Whitlow, Asst. County Administrator  
B. J. Jefferson, County Attorney  
Sharon K. Tudor, CMC, Clerk

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Chairman Charles Wagner called the meeting to order.

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**PUBLIC COMMENT:**

- ***Rebecca Mitchell, Brooks Mills Road Traffic***

Ms. Mitchell stated she lived on State Route 834. Ms. Mitchell affirmed the County rezoned Mike & Judy Grimm’s property approximately 10 years ago. Ms. Mitchell stated the road fronting her property was not rezoned and she would like for the commercial traffic be eliminated from coming in front of her home. Ms. Mitchell advised the Board she lost her case in appeals court. Ms. Mitchell acknowledged the Grimm property was rezoned which housed the business structure, however, the road was not rezoned and she had plats, deeds and pictures reflecting her ownership and would be glad to share with the Board. Ms. Mitchell stated she does not have any control over her property with damage occurring to her property daily. Ms. Mitchell advised the Board a “No Trucks” sign was erected last weekend on the upper end of the road with traffic coming by her property and the cemetery on the lower end of the road. Ms. Mitchell stated damage has occurred to her trees, mailbox, dust all over her property and it was unsafe for children to play in her yard due to the traffic. Ms. Mitchell requested the Board’s help in resolving this situation and to move the traffic away from her home.

Mr. Hurt asked staff to see if there is a County violation occurring and report back to the Board staff’s findings.

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Chairman Charles Wagner recessed the meeting for the previously advertised public hearings as follows:

**PETITION of C. Branch Corporation, Inc., Neville S. Shelton, Carole S. Lattimer, John S. Trull, and Dorothy S. Toler, Trustee, as Petitioners and Owners**, for property currently zoned RC-1, Residential Combined Subdivision District, for the purpose of amending the rezone request approved December 15, 1998 to eliminate from the Final Order the condition that C. Branch Corporation, Inc. bring the cul-de-sac up to VDOT state standards. The existing condition reads “as a condition of approval, the roads accessing the lots in the subdivision will be brought up to state standards. Prior to the approval of the subdivision plat, the applicant will establish a surety acceptable to the County to guarantee the construction of required improvements.” The cul-de-sac is located in Franklin County but is accessed through a private road in Pittsylvania County. The future land use map of the adopted 2025 Comprehensive Plan for Franklin County designates this area as Low Density Residential to allow gross densities of one to two dwelling units per acre. The RC-1 district has no density prescribed. The property is located off of State Route 40 East in Penhook on Cool Branch Road, near the Franklin County, Pittsylvania County lines, in the Union Hall Magisterial District of Franklin County near the Pittsylvania County Line, and is identified on Franklin County Real Estate Tax Records as Tax Map # 51, Parcel #’s 59.1; 59.2; 59.3; 59.4. (Case # RA 08-02-01)

Neil Holthouser, Director of Planning & Community Development presented the staff report.

Art Donaldson, Attorney, presented the petitioner’s request.

The Chairman opened the floor for the public hearing.

No one spoke for or against the proposed rezone request.

The public hearing was closed.

General discussion ensued.

**(RESOLUTION #09-03-2008)**

WHEREAS, after full consideration at the public hearing held on March 25, 2008, the Franklin County Board of Supervisors determined that the Rezone Amendment Request be **DENIED**, and that the condition remains as written in the initial approval, and that the surety in the amount of \$20,905.00 Letter of Credit not be returned. The condition reads as follows:

“As a condition of approval, the roads accessing the lots in the subdivision will be brought up to state standards. Prior to the approval of the plat of subdivision, the applicant will establish a surety acceptable to the County to guarantee the construction of required improvements”.

**NOW, THEREFORE**, BE IT ORDAINED by the Board of Supervisors to deny the aforementioned rezoning amendment for the aforementioned parcel(s) of land, which are contained in the Franklin County Tax Records as Tax Map # 51, Parcel # 59.1 (Deed Book 682, Page 300; Plat Book 643, Page 1368); Tax Map # 51, Parcel # 59.2 (Deed Book 781, Page 1629; Plat Book 643, Page 1368); Tax Map # 51, Parcel # 59.3 (Deed Book 682, Page 306; Plat Book 643, Page 1368); and Tax Map # 51, Parcel # 59.4 (Deed Book 682, Page 309; Plat Book 643, Page 1368) be denied to amend the rezone request approved December 15, 1998 by the Franklin County Board of Supervisors to eliminate from the Final Order the condition that Cool Branch Corporation, Inc. bring the cul-de-sac up to state standards. The cul-de-sac is located in Franklin County, but is accessed through a private road in Pittsylvania County. Whereby the Board of Supervisors finds the proposed rezoning amendment will be of substantial detriment to adjacent property, that the character of the projected future land use of the community will be adversely impacted, that such use will not be in harmony with the purpose and intent of the zoning ordinance and with the public health, safety and general welfare, will not promote good zoning practice and is in accord with Section 25-730 of the Franklin County Code and Section 15.2-2283, Purpose of zoning ordinances of the Code of Virginia of 1950, as amended.

MOTION BY: David Cundiff

SECONDED BY: Wayne Angell

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Hurt, Cundiff, Angell, Johnson, Thompson & Wagner

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***PUBLIC NOTICE***

The Franklin County Board of Supervisors will hold a public hearing at approximately **6:00 P.M.**, on **Tuesday, March 25<sup>th</sup>, 2008**, in the Meeting Room located in the Courthouse, Rocky Mount, Virginia to consider proposed ordinance amendments titled **Chapter 13: Article II. Outdoor Occasion Ordinance Governing Racetracks.**

**Section 13-29. Prohibited acts.**

It shall be unlawful to:

- (1) Operate between the hours 12:00 midnight and 9:00 a.m. and before 1:00 p.m. on Sundays.
- (2) Run practices more than two (2) days per week or operate during more than two (2) consecutive days regardless of whether it is in the same week and hours of practice shall be limited to a total of (6) hours which shall be six (6) consecutive hours on each of the two (2) practice days set out above, ***with the exception that when traveling racing associations are scheduled for a Saturday race, practice shall be limited to two (2) days in the preceding Monday – Friday time period. Such practice will be limited to six (6) hours daily. In the event that a “special event” race is rained out, such race may be held on Sunday. This rain out provision is limited to two (2) races per season.***
- (3) Operate without the permit as outlined in this article.
- (4) Receive a permit for or operate a raceway in any fashion that does not have a fence or other barrier sufficient to prevent vehicular access of any nature to the tract area.
- (5) Operate after having been notified that any of the provisions required by the application requirements of section 13-29.2 are no longer in compliance according to the approving authority.

(Res. No. 25-03-90, § 13-29, 3-19-90; Res. No. 24-02-91, 2-19-91; Amend. of 12-17-02(1))

➤ **Proposed Amended Code Language**

The Chairman opened the floor for the public hearing.

No one spoke for or against the proposed amendment to Chapter 13.

The public hearing was closed.

**(RESOLUTION #10-03-2008)**

BE IT THEREFORE ORDAINED, by the Board of Supervisors to approve the aforementioned amendment to Chapter 13: Article II. Outdoor Occasion Ordinance Governing Racetracks as advertised effective immediately.

MOTION BY: Wayne Angell

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Hurt, Cundiff, Angell, Johnson, Thompson & Wagner

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**PUBLIC NOTICE**

The Franklin County Board of Supervisors will hold a public hearing at approximately **6:00 P.M.**, on **Tuesday, March 25<sup>th</sup>, 2008**, in the Board of Supervisor’s Meeting Room located in the Courthouse, Rocky Mount, Virginia to consider the proposed amendments to **Chapter 27, Franklin County Code, Land Use Development, Section 27-1– Fee Schedule**. Said amendments to the ordinance would revise fees charged for sign permits and would eliminate fees charged for docks and piers as follows: change the review fee for sign permits from \$1.50 per square foot to \$40.00 per sign; eliminate the \$50.00 review fee for docks, piers (2 or less slips); and eliminate the \$50.00 plus \$5.00 per slip review fee for docks, piers (3 or greater slips).

**SEC. 27-1. FEE SCHEDULE.**

**TABLE INSET:**

<i>SUBDIVISIONS</i> Minor subdivisions	\$75.00
Family divisions, subdivisions of 2 lots or less, boundary line adjustments, <del>etc.</del> Vacations	\$50.00
Vacations requiring public hearing	\$200.00
Major subdivisions 3 lots or greater	\$125.00 + \$10.00 per lot
<del>ZONING</del> <i>LAND USE PERMITS</i> Single-family dwellings	\$35.00
Multi-family dwellings	\$35.00 per unit
<del>Docks, piers, etc. (2 or less slips)</del>	<del>\$50.00</del>
<del>Docks, piers, etc. (3 or greater slips)</del>	<del>\$50.00 + \$5.00 per slip</del>
All other accessory uses	\$25.00
Additions to primary structures	\$35.00
Signage	<del>\$1.50 per square foot</del> <b>\$40.00 Per Sign</b>
<i>SITE PLAN REVIEW</i> Planned developments	\$250.00 + \$10.00 per acre
All Others	\$200.00 + \$10.00 per acre
<i>EROSION &amp; SEDIMENT CONTROL</i> Agreement in lieu of plan	\$100.00
E & S plan review	\$200.00 + \$20.00 per acre
Stormwater management plan review	\$150.00 + \$25.00 per structure
Reinspect failed inspection	\$100.00
<i>PUBLIC WATER &amp; SEWER REVIEW</i> (CHAPTER 22) Public water and sewer (residential)	\$200.00 + \$5.00 per structure/unit
Public water or public sewer (residential)	\$100.00 + \$2.50 per structure/unit
Public water and sewer (commercial/industrial)	\$200.00 + \$5.00 per 1,500 sq. ft. of floor space of structures
Public water or sewer (commercial/industrial)	\$100.00 + \$2.50 per 1,500 sq. ft. of floor space of structures
<i>REZONINGS</i> Planned developments	\$300.00 + \$10.00 per acre
Residential/agricultural	\$250.00 + \$5.00 per acre
Commercial and industrial	\$250.00 + \$5.00 per acre
<i>SPECIAL USE PERMITS</i> Planned developments	\$300.00 + \$5.00 per acre
Residential/agricultural	\$250.00 + \$5.00 per acre
Commercial and industrial	\$250.00 + \$5.00 per acre
<i>BOARD OF ZONING APPEALS</i> Appeal	\$200.00
Variance	\$200.00
Zoning compliance letter	\$75.00

(Ord. of 8-19-03; Res. No. 18-06-05, 6-21-05)

The Chairman opened the floor for the public hearing.  
No one spoke for or against the proposed amendment.

The public hearing was closed.

**(RESOLUTION #11-03-2008)**

BE IT THEREFORE ORDAINED, by the Board of Supervisors to approve the previously advertised proposed amendments to Chapter 27-1 Fee Schedule as submitted reviewed and effective immediately.

MOTION BY: David Hurt  
SECONDED BY: David Cundiff  
VOTING ON THE MOTION WAS AS FOLLOWS:  
AYES: Mitchell, Hurt, Cundiff, Angell, Johnson, Thompson & Wagner

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***PUBLIC NOTICE***

The Franklin County Board of Supervisors will hold a public hearing at approximately **6:00 P.M.**, on **Tuesday, March 25<sup>th</sup>, 2008**, in the Meeting Room located in the Courthouse, Rocky Mount, Virginia to consider proposed ordinance amendments titled **Chapter 5: Building Regulations**. The proposed ordinance amendments consist of the following sections to amend, clarify and increase building permit fees:

- Section 5-2** Permit for mobile homes.
  - Section 5-3.** Removal, repair, etc., of dangerous structures.
  - Section 5-22.** Adopted; applicability; filing of copies; penalty provisions.
  - Section 5-26.** Permit exemption
- (Sections 5-2, 5-3, 5-22, & 5-26 reflect proposed textual changes)**

**Section 5-27. Permit fees (Proposed Amendments As Follows)**

Description	Existing Fees	Proposed Fees
Additions	When square footage is added to an existing building or structure, the fee shall be established as the same rate for the use group of the structure involved, and in no case less than the minimum fee for the use group.	
Plan Review fee	n/a	10% of building permit fee
All use groups other than Residential	\$0.11/sq ft.* \$50.00* minimum	\$0.15/sq ft.* \$65.00 * minimum
Alterations	\$5.00/\$1,000* \$50.00* minimum	\$10.00/\$1,000* \$65.00* minimum
Amusement Device	n/a	\$65.00*
Board of Building Code Appeals	n/a	\$250.00*
Boat Docks	\$0.11/sq ft.* \$50.00* minimum	\$0.15/sq ft.* \$65.00* minimum
Business Institutional Building Industrial Building & Assembly Building	\$0.11/sq ft.* \$50.00* minimum	\$0.15/sq ft.* \$65.00 * minimum
Commencing Work without a Permit Fee	n/a	A sum equal to twice the normal permit fee up to a maximum of \$2,500.00
Demolition	\$50.00*	\$65.00*
Distribution terminal and bulk plant facility license	\$150.00*	\$150.00*

Electrical - Change in Service 0 -400 amps 401 amps & over	\$50.00* \$75.00* + \$10.00/100 amps*	\$65.00* \$65.00* + \$10.00/100 amps*
Elevators	n/a	\$65.00*
Manufactured Homes Single-wide Double-wide Triple-wide	\$100.00* \$150.00* \$150.00*	\$150.00* \$200.00* \$250.00*
Mechanical 0-\$15,000.00 \$15,001.00 – up	\$50.00* \$50.00* + \$5.00*/\$1,000	\$65.00* \$65.00* + \$10.00*/\$1,000
Moving/Relocation	\$100.00*	\$100.00*
Permit Cancellation Fee (prior to commencement of inspection)	80% of original fee refunded	Refund of 100% fee less the administrative fee of \$65.00
Permit Renewal	\$50.00*	<del>\$65.00 or 10% of the original permit, whichever is greater — (to cover administrative costs)</del> 1) Permit may be issued for 12 months per USBC 2) First permit issued before renewal - no charge 3) Future permit renewal fee applies
Plumbing	\$0.05 flat fee/sq ft.* \$40.00* minimum	\$10.00/\$1,000 \$65.00* minimum
Refunds for unexpired permits	80% of Permit Fee	In the case of revocation, abandonment or discontinuance; refunds for the portion of the work that was not completed will be made after written application to the Building Official. A minimum of \$65.00 retained.
Re-inspection Fee	\$25.00*	\$45.00*
Residential Buildings and Additions	\$0.11/sq ft.* \$50.00 * minimum	\$0.15/sq ft.* \$65.00 * minimum
Signs ( with or without electricity)	\$50.00	\$65.00* flat fee
Storage Tanks 100 - 10,000 gallons 10,001 - 25,000 gallons 25,001 and over	\$50.00* \$75.00* \$125.00*	\$65.00* \$90.00* \$140.00*
Swimming Pool	\$50.00*	\$65.00*
Tent & Membrane structures over 900 sq ft	n/a	\$65.00*
Towers & Antennas	\$100.00*	\$100.00*
* State surcharge required by §36-139 of the Code of Virginia (1.75% currently)		
(Fee is rounded to the next dollar)		

The Chairman opened the floor for the public hearing.

No one spoke for or against the proposed amendments.

The public hearing was closed.

**(RESOLUTION #12-03-2008)**

BE IT THEREFORE ORDAINED, by the Board of Supervisors to approve the aforementioned previously advertised amendments to Chapter 5: with the deletion of (or 10% of the original permit, whichever is greater to cover administrative costs for Permit Renewal) with an effective date of July 1<sup>st</sup>, 2008.

MOTION BY: David Hurt  
SECONDED BY: Russell Johnson  
VOTING ON THE MOTION WAS AS FOLLOWS:  
AYES: Mitchell, Hurt, Cundiff, Angell, Johnson, Thompson & Wagner

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***PUBLIC NOTICE***

The Franklin County Board of Supervisors will hold a public hearing at approximately **6:00 P.M.**, on **Tuesday, March 25<sup>th</sup>, 2008**, in the Meeting Room located in the Courthouse, Rocky Mount, Virginia to consider the proposed adoption of an ordinance titled **Chapter 22: Section 123 Sewer Rates and Fees for Franklin County Sewer Systems**

<u>Meter</u>	<u>Availability Fee</u>	<u>Connection Fee</u>	<u>Total</u>
5/8"	\$2,000.00	\$1,500.00	\$3,500.00
3/4"	\$3,000.00	\$1,500.00	\$4,500.00
1"	\$5,000.00	\$1,500.00	\$6,500.00
1 1/2"	\$10,000.00	\$1,500.00	\$11,500.00
2"	\$16,000.00	\$1,500.00	\$17,500.00
3"	\$30,000.00	\$1,500.00	\$31,500.00
4"	\$60,000.00	\$1,500.00	\$61,500.00
6"	\$120,000.00	Actual Cost	
8"	\$180,000.00	Actual Cost	
10"	\$300,000.00	Actual Cost	
12"	\$400,000.00	Actual Cost	

<u>Meter</u>	<u>Monthly Base Rate</u>	<u>Plus</u>
5/8"	\$9.50	\$3.60 (per 1,000 gallons treated)
3/4"	\$14.25	\$3.60 (per 1,000 gallons treated)
1"	\$23.75	\$3.60 (per 1,000 gallons treated)
1 1/2"	\$47.50	\$3.60 (per 1,000 gallons treated)
2"	\$76.00	\$3.60 (per 1,000 gallons treated)
3"	\$142.50	\$3.60 (per 1,000 gallons treated)
4"	\$285.00	\$3.60 (per 1,000 gallons treated)
6"	\$570.00	\$3.60 (per 1,000 gallons treated)
8"	\$855.00	\$3.60 (per 1,000 gallons treated)
10"	\$1,425.00	\$3.60 (per 1,000 gallons treated)
12"	\$1,900.00	\$3.60 (per 1,000 gallons treated)

The Chairman opened the floor for the public hearing.

No one spoke for or against the proposed changes.

The public hearing was closed.

**(RESOLUTION #13-03-2008)**

BE IT THEREFORE RESOLVED, by the Board of Supervisors to adopt the aforementioned rates as advertised for Chapter 22: Section 123 Sewer Rates and Fees for Franklin County Sewer Systems with an effective date of April 30, 2008.

MOTION BY: Wayne Angell  
SECONDED BY: Russ Johnson

VOTING ON THE MOTION WAS AS FOLLOWS:  
AYES: Mitchell, Hurt, Cundiff, Angell, Johnson, Thompson & Wagner

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**PUBLIC NOTICE**

The Franklin County Board of Supervisors will hold a public hearing at approximately **6:00 P.M.**, on **Tuesday, March 25<sup>th</sup>, 2008**, in the Meeting Room located in the Courthouse, Rocky Mount, Virginia to consider proposed ordinance amendments titled **Chapter 22 Rates and Fees for Franklin County Water Systems**. The proposed ordinance amendments consist of the following sections to amend, clarify, increase water rates and fees and make uniform the water rates within the Franklin County Service area/specifically Franklin County Commerce Center and the Phase I Water System.

- Section 22-250

Commerce Center & Phase 1 Water System Rates & Fees  
(Proposed New Title)
- Section 22-250.1

Phase 1 of the Countywide Public Water System Rates & Fees  
(This heading is proposed to be deleted)

Revised Chapter 22

Alignment of water rates and fees

2/19/2008

**LEGEND:**

Underlined text – added text  
~~Strike thru~~ - text to be removed

**ARTICLE X. RATES AND FEES FOR COUNTY SYSTEMS**

**Sec. 22-250. Commerce Center and Phase I water system rates and fees.**

It is hereby ~~ordained~~ by the Franklin County Board of Supervisors that the County of Franklin shall charge the same for water and connection fees at the Commerce Center and Phase I. according to the following schedule:

- Minimum rate/month/3,000 gallons . . . \$6.00
- Rate/1,000 gallons over 3,000/month/1,000 gallons . . . 2.00
- Connection fees:
- 5/8" meter . . . \$ 500.00
- 1" meter . . . 1,200.00
- 1 1/2" meter . . . 1,500.00
- 2" meter . . . 2,250.00
- 3" meter . . . 3,500.00
- Over 3" meter . . . Cost plus 10%

- Availability fee . . . 400.00
- Disconnection fee . . . 3.00
- Reconnection fee . . . 20.00
- Late payment fee . . . 20.00
- Bulk water purchase rate/1,000 gallons . . . 4.00
- (Ord. of 10-19-99)
- ~~Gross references:~~ Section 27-1, Fee Schedule.

**Sec. 22-250.1 ~~Commerce Center and Phase I~~ of the countywide public water system rates and fees.**

It is hereby ordained by the Franklin County Board of Supervisors that the County of Franklin shall charge customers of the Commerce Center and Phase I countywide public water system according to the following schedule of water rates and fees:



- (a) *Service deposit:* (refundable) One month's minimum water use charge.
- (b) *Hook-up fees:*

<i>Meter Size</i>	<i>Availability Fee</i>	<i>Connection Fee</i>	<i>Total Hook-up Fee</i>
5/8" x 3/4"	\$ 1,976.00	\$ 750.00	\$ 2,726.00
1"	2,767.00	1,050.00	3,817.00
1 1/2"	3,557.00	1,350.00	4,907.00
2"	5,731.00	2,175.00	7,906.00
3"	21,739.00	8,250.00	29,989.00
4"	27,668.00	10,500.00	38,168.00
6"	41,501.00	15,750.00	57,251.00
8"	57,312.00	21,750.00	79,062.00

An introductory discount shall be offered for hook-up fees paid within one year of construction completion and acceptance of the Phase I water system, as follows:

<del>Total Hook-up Fee:—</del>	<del>Discount of 20%—</del>
<del>Availability Fee (Paid Alone):—</del>	<del>Discount of 15%—</del>
<del>Connection Fee (Paid Alone):—</del>	<del>Discount of 10%—</del>

Following the discount period, the total hook-up fee, availability fee and connection fees will be assessed at their adopted rates.

- (c) *Fire protection hook-up and appurtenances:* Provision of fire hydrants, detector checks for fire flow, compound meters, and such appurtenances related to on-site fire protection suppression systems shall be assessed a one-time charge at the county's cost (including materials, labor, contractor and consultant services, and administration) to install the appurtenance(s) paid for by the contractor/owner.
- (d) *Water use rates:* Customer pays the monthly minimum plus the customer pays for the volume of water used during the month above the monthly minimum amount at the adopted rates based on volume of water purchased.

- (1) *Monthly minimum rates:*
  - a. *Community systems:* The monthly minimum shall be \$8.00/1,000 gallons applied to 75% of the monthly water usage anticipated for all connections (based on one ERC per connection or 4,000 gallons/month per residential connection). As an example, a community system having 30 homes has a monthly minimum of 30 homes x 4,000 gallons/month minimum water usage = 120,000 gallons/month x 75% = 90,000 gallons/month at the rate of \$8.00/1,000 gallons = \$720.00/monthly minimum charge. Should the number of connections within the community system increase or decrease, the monthly minimum shall be reconfigured.

~~An introductory offer shall be provided to community systems that execute a user agreement with the county by June 2004 or as approved by the county administrator, such that the monthly minimum established shall be \$8.00/1,000 gallons applied to 65% of the monthly water usage anticipated for all connections (based on one ERC per connection or 4,000 gallons/month per residential connection). As an example, a community system having 30 homes shall have a monthly minimum of 30 homes x 4,000 gallons/month minimum water usage = 120,000 gallons/month x 65% = 78,000 gallons/month at the rate of \$8.00/1,000 gallons = \$624.00/monthly minimum charge. The introductory offer monthly minimum, if accepted in a timely manner, shall set the monthly minimum terms to be applied to the community system during the entire period of its continuing water purchases as a community system. Should the number of connections within the community system increase or decrease, the monthly minimum shall be reconfigured according to the introductory offer.~~

~~After June 2004 or such date as approved by the county administrator, where service is available to community systems located along the Phase I project, the monthly minimum shall be based on 75% of the monthly minimum water usage anticipated for connections, as opposed to the 65% introductory offer.~~

b. All other connections not listed in a. above: Meter size flow minimum x \$8.00/1,000 gallons, as follows:

Meter Size	Monthly Minimum Charge
5/8" x 3/4" = 1 ERC = 4,000 gallon minimum	\$ 32.00
1" = 10,000 gallon minimum	80.00
1 1/2" = 20,000 gallon minimum	160.00
2" = 32,000 gallon minimum	256.00
3" = 64,000 gallon minimum	512.00
4" = 100,000 gallon minimum	800.00
6" = 200,000 gallon minimum	1,600.00
Larger than 6" determined by public works director	TBD

(2) Monthly water purchase rates:

a. Monthly water purchase rates: Customers shall be charged the monthly minimum, and the volume used each month above the monthly minimum amount shall be charged at the volume charges which are applicable, as follows:

Volume Used/Month	Rate/1,000 Gallons Used
Monthly minimum	As established above.
4,001-18,000 gallons	\$ 7.00
18,001-25,000 gallons	6.50
25,001-50,000 gallons	6.00
50,001-100,000 gallons	5.50
100,001 gallons and over	5.00

b. Bulk water purchase: \$8.00/1,000 gallons purchased/month plus one-time application fee of \$25.00. Bulk water purchases at locations other than the county's bulk meter station must receive prior approval from the public works director.

(e) Late payment fee: 1.5%/month of the unpaid balance, cumulative.

(f) Disconnection fee: \$20.00/disconnection up to two (2) disconnections/year per customer. If the customer wishes or is assessed three (3) or more disconnections/year, the fee shall be \$25.00/disconnection.

(g) Reconnection fee: \$40.00/reconnection.

(i) Customer requested meter read: \$25.00/meter read.

(j) Meter test fee: If requested by the customer, \$35 if the test is conducted by county staff; or cost plus 10% if by contractor or factory tested. The meter test fee shall be assessed only if the meter is accurate according to the test.

(k) Utility plan review: A separate fee from fees assessed by the planning and community development department shall be assessed for plan review of systems which seek to be turned over to the county. This fee shall be paid to the county treasurer in care of the public works department, as follows:

A minimum of \$150.00 flat fee plus \$0.25/linear foot of water line for first-time review.

If subsequent reviews are required by the county for the same water plans, an additional \$150.00 flat fee shall be assessed for each subsequent review.  
 Waterline inspections by county staff or county consultants shall be billed to the applicant at actual cost.

(l) *Lien provision for unpaid charges and fees and termination of service:* The lien provisions and policies regarding termination/cutting off of the water supply to the customer which are set forth in section 22-251 of the County Code for unpaid water charges and fees (including availability and connection fees, water rates, and other adopted rates and fees) shall be applicable to customers of the Phase I countywide public water system.  
 (Res. No. 15-03-2004, 3-16-04(2))

**Sec. 22-251. Unpaid water charges and fees shall be a lien upon real estate and termination of service.**

It is hereby ordained by the Franklin County Board of Supervisors that any charges for water or connection fees which remain unpaid for thirty (30) days or longer after the due date thereof shall constitute a lien on the real estate to which the water was furnished or to which the connection fees were related and the county may, following a ten-day written notice to the property owner, docket such lien upon the land records in the clerk's office of the Circuit Court of Franklin County. Any fees or charges pursuant to this article setting rates and fees which are not paid within fifteen (15) days of the due date thereof shall result in termination/cutting off of the water supply to the customer. (Ord. of 10-19-99)

The Chairman opened the floor for the public hearing.

No one spoke for or against the proposed ordinance amendments.

The public hearing was closed.

**(RESOLUTION #14-03-2008)**

BE IT THEREFORE ORDAINED, by the Board of Supervisors to adopt the aforementioned amendments to Section 22-250 & 22-250.1 as advertised with an effective date of April 30, 2008.

MOTION BY: Wayne Angell  
 SECONDED BY: Russ Johnson  
 VOTING ON THE MOTION WAS AS FOLLOWS:  
 AYES: Mitchell, Hurt, Cundiff, Angell, Johnson, Thompson & Wagner

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Chairman Wagner recessed the meeting until Thursday evening @ 6:00 for a joint budget meeting with the School Board at the Franklin Center.

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CHARLES WAGNER  
 CHAIRMAN

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RICHARD E. HUFF, II  
 COUNTY ADMINISTRATOR